

STATE OF NEW YORK  
COUNTY COURT: COUNTY OF KINGS

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U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE FOR BANC OF AMERICA  
FUNDING CORPORATION MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES  
2006-F,

Plaintiff,

v.

MICHAEL KRICHEVSKY, NEW YORK  
STATE DEPARTMENT OF TAXATION AND  
FINANCE, UNITED STATES OF AMERICA  
BY THE INTERNAL REVENUE SERVICE,  
CITY OF NEW YORK PARKING  
VIOLATIONS BUREAU,  
And JOHN DOE

Defendants.

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**NOTICE OF RETURN  
AND REJECTION OF  
VERIFIED ANSWER**

INDEX NO.: 506127/2016

MORTGAGED PREMISES:  
4221 ATLANTIC AVENUE  
A/K/A 4219-4221 ATLANTIC  
AVENUE BROOKLYN, NY  
11224

SBL #:  
BLOCK 7026 LOT 53

PLEASE TAKE NOTICE, that Plaintiff be and hereby is returning and rejecting the Answer with Counter Claims of the Defendant Michael Krichevsky, dated March 8, 2017 and received by electronic filing on March 9, 2017 for the following reason:

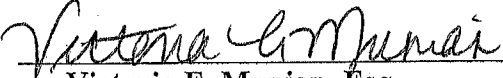
1. The time within which to respond to the complaint as of right expired on July 6, 2016.
2. The Answer and was served after the time to respond had expired.
3. Personal service upon the Defendant was completed on June 16, 2016.
4. No extension of time has been granted.
5. Pursuant to section 320(a) of the New York Civil Practice Law and Rules

("CPLR"), Defendant's time to respond to the complaint expired on July 6, 2016. Yet, Defendant attempted to serve the Answer by electronic filing on March 8, 2017.

KINGS COUNTY CLERK  
RECEIVED  
2017 MAR 24 AM 10:40

6. The Answer is therefore untimely pursuant to CPLR 320(a) and 3012(a) and is hereby returned and rejected in their entirety by the Plaintiff.

DATED: March 17, 2017  
Rochester, New York

  
Victoria E. Munian, Esq.  
Woods Oviatt Gilman LLP.  
*Attorneys for Plaintiff*  
700 Crossroads building  
2 State St  
Rochester, New York 14614

TO:

Michael Krichevsky  
4221 Atlantic Avenue  
a/k/a 4219-4221 Atlantic Avenue  
Brooklyn, NY 11224

RE: Notice of Rejection of Answer  
U.S. BANK NATIONAL ASSOCIATION v. MICHAEL KRICHEVSKY, et al.  
Kings County Supreme Court, Index No. 506127/2016

STATE OF NEW YORK  
COUNTY COURT: COUNTY OF KINGS

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**AFFIDAVIT OF SERVICE**  
**BY MAIL**

INDEX NO.: 506127/2016

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4221 ATLANTIC AVENUE  
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AVENUE BROOKLYN, NY  
11224

SBL #:  
BLOCK 7026 LOT 53

STATE OF NEW YORK     )  
COUNTY OF MONROE    ) SS:

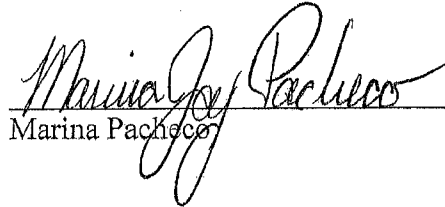
Marina Pacheco, being duly sworn, deposes and states as follows:

That the deponent is an Employee of Woods Oviatt Gilman, LLP, attorney for the Plaintiff in the above entitled foreclosure action and resides in the State of New York, That Deponent is not a party to this action and is over the age of 18 years.

That on the 20 day of March, 2017, Deponent served a true copy of the Notice of Return and Rejection of Answer in this action on the Defendants whose names and addresses appear below by depositing a true copy of same, enclosed in a postpaid properly addressed

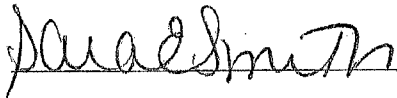
wrapper, in an official postal depository at 700 Crossroads Building, 2 State Street, Rochester, New York, under the care and custody of the United States Postal Service within the State of New York.

The foregoing statements are true, under penalty of perjury

  
Marina Pacheco

Sworn to before me this

20 day of March, 2017

  
\_\_\_\_\_

Notary Public

**SARA E. SMITH**  
Notary Public, State of New York  
Qualified in Monroe County  
No. 01SM6275758  
My Commission Expires February 4, 2021

TO:

Michael Krichevsky  
4221 Atlantic Avenue  
a/k/a 4219-4221 Atlantic Avenue  
Brooklyn, NY 11224

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